

2007 DRAFTING REQUEST

Assembly Amendment (AA-SSA1-SB40)

Received: **06/25/2007**

Received By: **rchampag**

Wanted: **Soon**

Identical to LRB:

For: **Legislative Fiscal Bureau**

By/Representing: **Runde (DL)**

This file may be shown to any legislator: **NO**

Drafter: **rchampag**

May Contact:

Addl. Drafters:

Subject: **State Finance - bonding**

Extra Copies:

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to:

Pre Topic:

LFB:.....Runde (DL) -

Topic:

Limit new bonding authorizations (Assembly)

Instructions:

Limit GPR-supported GO bonding under state building program to \$430 million per biennium

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	rchampag 06/26/2007	bkraft 06/26/2007	rschluet 06/26/2007	_____	lparisi 06/26/2007		
/2	rchampag 06/27/2007	kfollett 06/27/2007	jfrantze 06/27/2007	_____	sbasford 06/27/2007		

FE Sent For:

<END>

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FE Sent For:		12/5 f 6/27	8 6/27	Sull 6/27 <END>			

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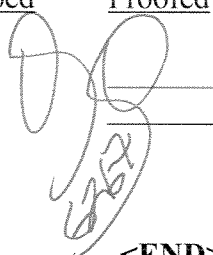
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/1	rchampag	11bjk 6/26					

11g-f 6/26



FE Sent For:

<END>



State of Wisconsin
2007 - 2008 LEGISLATURE

LRBb0634/1

RAC:.....

bjk+gf

LFB:.....Runde (DL) - Limit new bonding authorizations ✓

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION ✓

ASSEMBLY AMENDMENT ,
TO SENATE SUBSTITUTE AMENDMENT 1, ✓
TO 2007 SENATE BILL 40

SA ✓
X-ref ✓

1 At the locations indicated, amend the substitute amendment as follows: ✓

2 1. Page 58, line 4: after that line insert: ✓

3 ✓ "SECTION 137d. 18.04 (1) (intro.) of the statutes is amended to read: ✓

4 ✓ 18.04 (1) (intro.) The Subject to sub. (7), the commission may authorize public
5 debt to be contracted and evidences of indebtedness to be issued therefor in an
6 amount sufficient to fund or refund, as provided in s. 18.06 (5), or to fund, refund or
7 acquire for any of the purposes set forth in sub. (5) and as provided in s. 18.06 (7),
8 the whole or any part of:

History: 1973 c. 90 s. 555m (2); 1975 c. 26; 1977 c. 29 s. 1452; 1977 c. 317; 1985 a. 6; 1987 a. 27; 1989 a. 31, 46; 2005 a. 22. ✓

9 SECTION 137h. 18.04 (2) of the statutes is amended to read:

1 ✓ 18.04 (2) The Subject to sub. (7), the commission shall authorize public debt
2 to be contracted and evidences of indebtedness to be issued for the debt up to the
3 amounts specified by the legislature to acquire, construct, develop, extend, enlarge
4 or improve land, waters, property, highways, buildings, equipment or facilities or to
5 make funds available for veterans housing loans for the classes of public purposes
6 specified by the legislature as the funds are required. The requirements for funds
7 shall be established by that department or agency head having program
8 responsibilities for which public debt has been authorized by the legislature.

History: 1973 c. 90 s. 555m (2); 1975 c. 26; 1977 c. 29 s. 1652; 1977 c. 317; 1985 a. 6; 1987 a. 27; 1989 a. 31, 46; 2005 a. 22/

9 **SECTION 137p.** 18.04 (5) (intro.) of the statutes is amended to read:

10 ✓ 18.04 (5) (intro.) Public Subject to sub. (7), public debt may be contracted under
11 sub. (1) for any of the following purposes:

History: 1973 c. 90 s. 555m (2); 1975 c. 26; 1977 c. 29 s. 1652; 1977 c. 317; 1985 a. 6; 1987 a. 27; 1989 a. 31, 46; 2005 a. 22.

12 **SECTION 137t.** 18.04 (7) of the statutes is created to read:

13 ✓ 18.04 (7) The commission may not authorize any new public debt, the debt
14 service of which is paid from general purpose revenue, to be contracted in an amount
15 exceeding \$430,000,000 in any fiscal biennium.” ✓

16 (END)



(D Note)
State of Wisconsin
2007 - 2008 LEGISLATURE

LRBb0634/1
RAC:hjk&kjfr

2
KFR MR

LFB:.....Runde (DL) - Limit new bonding authorizations

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

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16 (END)

D- Note

**2007-2008 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBb0634/2ins
RAC:bjk&kjf:rs

1. Page 77, line 2: after that line insert:

“**SECTION 174c.** 20.003 (6) of the statutes is created to read:

20.003 (6) RESTRICTION ON AUTHORIZATION OF CERTAIN PUBLIC DEBT. No bill may be enacted by the legislature that would authorize any new public debt, the debt service of which is paid from general purpose revenue, to be contracted in an amount exceeding \$430,000,000 in any fiscal biennium for projects enumerated in the long-range state building program.”.

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0634/2dn

RAC:bjk&kjfrs

Date

kj

Al Runde:

Please note that s. 20.003 (6) is not legally enforceable, but rather is a rule of proceeding under article IV, section 8, of the Wisconsin Constitution. The supreme court has held that the remedy for noncompliance with this type of provision lies exclusively within the legislative branch. See *State ex rel. La Follette v. Stitt*, 114 Wis. 2d 358, 363-369 (1983). In other words, while this type of provision may be effective to govern internal legislative procedure, the courts will not enforce this type of provision if the legislature does not follow it.

Rick A. Champagne
Senior Legislative Attorney
Phone: (608) 266-9930
E-mail: rick.champagne@legis.wisconsin.gov

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

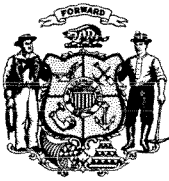
LRBb0634/2dn
RAC:kjf:jf

June 27, 2007

Al Runde:

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State of Wisconsin
2007 - 2008 LEGISLATURE

LRBb0634/2
RAC:bjk&kjf:jf

LFB:.....Runde (DL) – Limit new bonding authorizations (Assembly)

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9 (END)